

COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

INVESTIGATION INTO ALLEGED UNAUTHORIZED	)	
RATES AND SERVICES OF AMERICALL SYSTEMS	)	CASE NO.
OF LOUISVILLE, INC.	)	90-026
	)	
	)	
ALLEGED VIOLATION OF KRS CHAPTER 278	)	

ORDER AND SUBPOENA

On April 27, 1990, AmeriCall Systems of Louisville ("AmeriCall") filed a motion for partial stay and an extension of time requesting that the Commission grant a stay of enforcement of certain portions of its April 20, 1990 Order in this proceeding. AmeriCall has requested that it be permitted to delay providing customer addresses and billing records referred to in ordering paragraph 4 of the April 20, 1990 Order. AmeriCall asserts that because it has provided a list of customer account numbers and a list of telephone numbers in response to an administrative subpoena that it should be permitted, at least at this time, to not supply the customer addresses and billing records. Additionally, AmeriCall requested a brief extension of time to file certain information required by ordering paragraph 4.

The Commission having considered the motion and being otherwise sufficiently advised, finds that the list of customers with addresses and billing records for Commonwealth WATS and any other service which was not tariffed does not have to be provided

at this time. However, this stay of enforcement of the April 20, 1990 Order does not preclude the Commission from requesting this or similar information at any time in the future. The requested extension of time should be granted.

On May 7, 1990, AmeriCall filed a motion for extension of time in which to respond to the April 30, 1990 Subpoena Duces Tecum. Additionally, AmeriCall has requested that the Commission revise its request for information contained in the subpoena.

The Commission having reviewed the motion and being otherwise sufficiently advised, finds that the extension of time in which to comply with the April 30, 1990 subpoena should be denied. The Subpoena Duces Tecum issued April 30, 1990 should be quashed. The Commission, within this Order, is issuing a new subpoena.

The Commission, on its own motion, hereby cancels the hearing currently scheduled for May 21, 1990 at 10:00 a.m., Eastern Daylight Time, in the Commission's offices. Such hearing will be rescheduled after the completion of the Commission Staff audit of AmeriCall and any affiliate.

IT IS ORDERED that:

1. AmeriCall's motion for a partial stay of ordering paragraph 4 of the April 20, 1990 Order is hereby granted until further order of the Commission.

2. The motion for extension of time to respond to the April 20, 1990 Order is hereby granted.

3. AmeriCall's motion for an extension of time and for revisions to the April 30, 1990 Subpoena is hereby denied and the April 30, 1990 Subpoena Duces Tecum is hereby quashed.

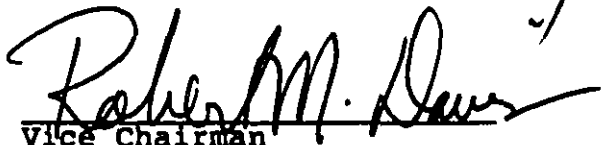
4. This Order shall serve as an administrative subpoena, issued pursuant to KRS 278.320, to produce on the premise of AmeriCall and any affiliate the following records: any and all operational accounts, customer accounts, customer bills, customer service records, files, books, and papers related to the operation of AmeriCall and any affiliate. This information is ordered pursuant to KRS 278.230.

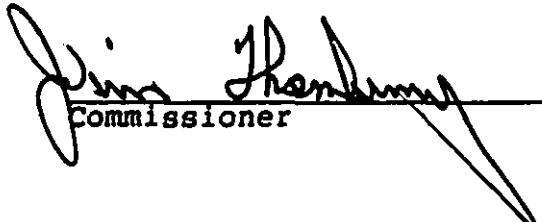
5. The May 21, 1990 hearing is hereby continued generally.

Done at Frankfort, Kentucky, this 8th day of May, 1990.

PUBLIC SERVICE COMMISSION

  
Chairman

  
Vice Chairman

  
Commissioner

ATTEST:

  
Executive Director